

CENTER FOR DISABILITY ACCESS  
CHRIS CARSON, ESQ., SBN 280048  
RAY BALLISTER, JR., ESQ., SBN 111282  
PHYL GRACE, ESQ., SBN 171771  
DENNIS PRICE, ESQ., SBN 279082  
CHRISTOPHER A. SEABOCK, ESQ., SBN 279640  
8033 Linda Vista Road, Suite 200  
San Diego, CA 92111  
[phylg@potterhandy.com](mailto:phylg@potterhandy.com)

Attorneys for Plaintiff

KENNETH I. GROSS, SBN 117838  
LAW OFFICES OF KENNETH I. GROSS &  
ASSOCIATES  
84 S. Broadway, Suite 504  
Los Angeles, California 90014-3232  
Telephone: (213) 627-0218  
Fax: (213) 623-4628  
[kgross@kigrosslaw.com](mailto:kgross@kigrosslaw.com)

Attorney for Defendants TOWNE CENTER  
WEST I, LLC AND TOWNE CENTER  
WEST II, LLC

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

NEHEMIAH KONG,

Plaintiff,

v.

TOWNE CENTER WEST I, LLC, a  
Delaware Limited Liability Company;  
TOWNE CENTER WEST II, LLC, a  
Delaware Limited Liability Company;  
and Does 1-10,

Defendants.

**Case No.: 2:19-cv-00098-JLS-KS**

**Joint Stipulation for Plaintiff to  
File First Amended Complaint**

1           **WHEREAS**, Federal Rule of Civil Procedure 15 provides that, once an  
2 answer is on file, a party may only amend its pleading by consent of the court **or** by  
3 written consent of the party who has answered; and:

4           **WHEREAS**, consent to amend a complaint should be freely given when the  
5 interests of justice require; and

6           **WHEREAS**, the plaintiff wishes to file a first amended complaint;

7           **WHEREAS**, the plaintiff's First Amended Complaint is necessary to the  
8 outcome of the instant action as it includes responsible parties previously unknown  
9 to Plaintiff; and

10           **WHEREAS**, Plaintiff has presented the undersigned defense counsel with a  
11 "redlined" version of the proposed amended pleading; and

12           **WHEREAS**, a copy of the "redlined" First Amended Complaint is filed  
13 concurrently;

14           **THEREFORE, IT IS HEREBY STIPULATED** by and between the parties  
15 hereto, through their respective attorneys of record, that Plaintiff may file a First  
16 Amended Complaint. Plaintiff will file said pleading within seven days of the Order  
17 of this Court.  
18

19           Additionally, the Answer to the Complaint filed by the defendants Towne  
20 Center West I, LLC and Towne Center West II, LLC, on June 26, 2019, in which  
21 Answer and defenses were prepared in response to the Complaint, shall be deemed  
22 fully responsive to the First Amended Complaint and said defendants do not have to  
23 file another Answer.  
24  
25  
26  
27  
28

1                   **IT IS SO STIPULATED.**

2           Dated: September 4, 2019

CENTER FOR DISABILITY ACCESS

3  
4                   By: /s/ Christopher A. Seabock  
5                   Christopher A. Seabock  
6                   Attorney for Plaintiff

7  
8           Dated: September 4, 2019

LAW OFFICES OF KENNETH I.  
GROSS & ASSOCIATES

9  
10                   By: /s/ Kenneth I. Gross  
11                   Kenneth I. Gross  
12                   Attorney for Defendants

13  
14  
15                   **SIGNATURE ATTESTATION**

16  
17  
18                   I hereby attest that all signatories listed above, on whose behalf this  
19                   Stipulation is submitted, concur in the filing's content and have authorized the  
20                   filing.

21  
22           Dated: September 4, 2019

By: /s/ Christopher A. Seabock  
23                   Christopher A. Seabock  
24                   Attorney for Plaintiff